

**REMARKS**

Claims 1-9 and 11-17 are pending in the application. Claims 5-7, 13-15 and 17 are allowed. Claims 1-4, 8, 9, 11, 12 and 16 were rejected.

The abstract is objected as not describing the nature or gist of the claimed invention and it is more than 150 words in length. The new text of the Abstract, as amended above, is 150 words long and is a paraphrase of claim 1. It is therefore submitted that the abstract is now within the limitations of the word count and describes the nature or gist of the claimed invention. Withdrawal of this objection is requested.

The drawings are objected to because they do not show every feature of the invention specified in the claims.

The application presents a claim for subject matter not originally claimed or embraced in the statement of the invention. A supplemental oath or declaration is required. A supplemental oath and declaration is attached.

Claims 8 and 11 are rejected under 35 USC 103(a) as being unpatentable over White, et al. (US Patent No. 5,933,490) in view of Fratto I ("More Than Throughput: Managed Modem Chassis"), and further in view of Carson et al. (US Patent No. 4,629,832, and further in view of "Service Provider Dial Scenarios and Configurations" hereinafter "the Cisco reference").

As amended, claim 8 requires that usage is monitored and when it falls below a predetermined threshold, the channel is determined to be unused. This has been stated to be an allowable limitation over the prior art. The office action stated that the use of a predetermined threshold is not shown by the combination of references. It is therefore submitted that claim 8 is patentably distinguishable over the prior art and allowance of this claim is requested.

Claim 11 depends from claim 8 and should be ruled allowable for that reason and for its own merits. The combination of references does not teach indicating substantial non-use

of a channel when the usage of that channels falls below a predetermined usage threshold, nor the scheduling of maintenance being manually commanded to the access server once the channels have all become substantially unused. It is therefore submitted that claim 11 is patentably distinguishable over the prior art and allowance of this claim is requested.

Claims 1-4 and 16 are rejected under 35 USC 103(a) as being unpatentable over White in view of Fratto I, and further in view of Carson, and further in view of the Cisco reference.

Claims 1 and 16, as amended, require that existing calls be migrated to other network access servers without disconnection. As stated in the office action, "...the combination of White in view of Fratto and further in view of Carson and further in view of the Cisco Reference teaches a method wherein connections that do not eventually terminate at the client/user's initiative are eventually disconnected. Hasler on the other hand teaches a system for generating a semi-permanent dial up connection that will automatically dials up a user's ISP and *reestablish* the connection *if the line goes down*." The user is disconnected and then has to re-dial. The amendment to these claims is supported in several places in the specification, including page 4.

It is therefore submitted that claims 1 and 16, as amended, are patentably distinguishable over the prior art and allowance of these claims is requested.

Claims 2-4 depend from claim 1 and should be ruled allowable for that reason and for their own merits. The combination of references does not teach migrating existing calls to another server without disconnection in conjunction with communicating an idle condition of the channels to the service request switch when maintenance is completed in claim 2; that that communication is performed via a standard communication protocol as in claim 3; nor that the automatic routing is targeted to another access server in the same hunt group as in

claim 4. It is therefore submitted that claims 2-4 are patentably distinguishable over the prior art and allowance of these claims is requested.

Claims 9 and 12 are rejected 35 USC 103(a) as being unpatentable over White in view of Fratto I, and further in view of Carson, and further in view of the Cisco reference, and further in view of Fratto II ("Accessing the Enterprise: Large-Scale RAS to the Rescue, Network Computing").

Claims 9 and 12 depend from claim 8 and should be ruled allowable for that reason and for their own merits. As discussed above, the combination of references does not teach, show nor suggest defining a channel as being unused when usage falls below a predetermined threshold, much less that the maintenance to be performed after the channels are all non-busy is automatically scheduled by a command to the access server as in claim 9, nor that command is give to a system administrator software program residing within the network as in claim 12. It is therefore submitted that claims 9 and 12 are patentably distinguishable over the prior art and allowance of these claims is requested.

No new matter has been added by this amendment. Allowance of all claims is requested. The Examiner is encouraged to telephone the undersigned at (503) 222-3613 if it appears that an interview would be helpful in advancing the case.

Respectfully submitted,

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LOW-IMPACT METHOD AND APPARATUS FOR MAINTAINING NETWORK ACCESS SERVERS  
Attorney Docket No. 2705-092/Application No. 09/431,357

Annotated Sheet Showing Changes

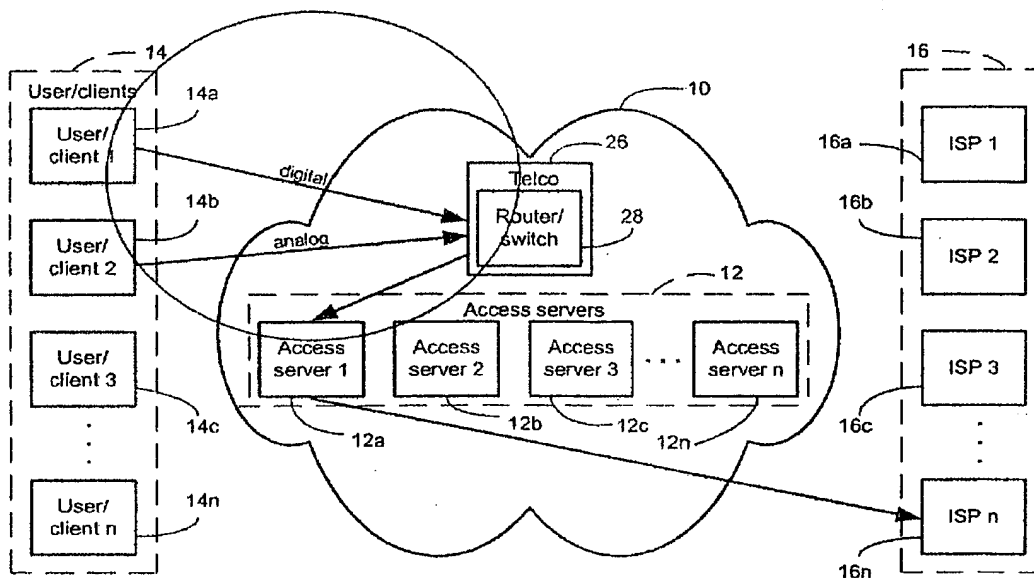


FIG. 1

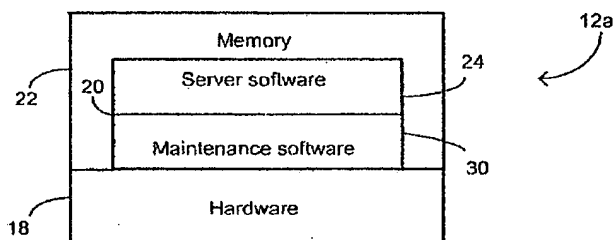


FIG. 2

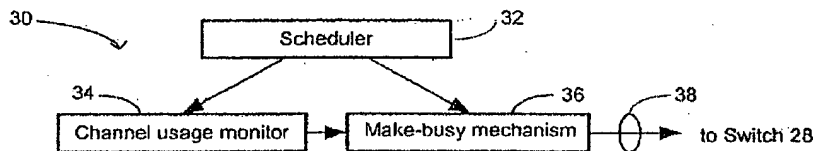


FIG. 3

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Annotated Sheet Showing Changes

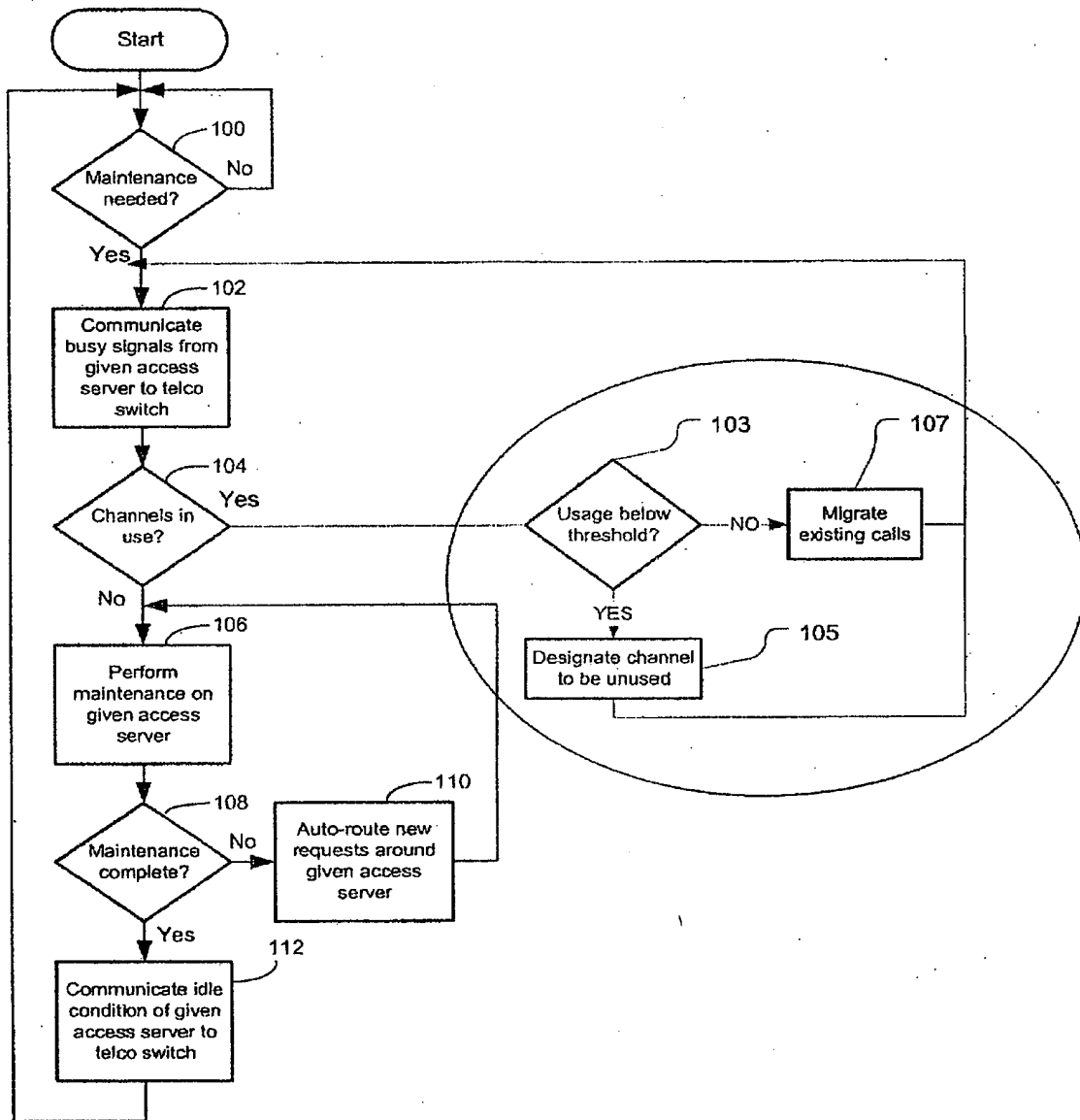


FIG.4